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SPOONER, LAMONT M

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2004*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 10/12/2004 have been fully considered but they are

not persuasive.

Regarding independent claims 1, 10 and 11, Applicant states on page 6,

paragraph 3 lines 7-14, "Thus, Gibson does not disclose nor suggest positioning and

sizing the translation window and the web page window so that "the translation window

and the web page window fit on one screen without over lapping." The second way is to

generate a separate parent browser window for each frame (column 9, lines 37-40).

However, Gibson does not discuss the positioning of these separate parent browsers,

much less the claimed logic for positioning and sizing the translation window and the

web page window so that "the translation window and the web page window fit on one

screen without overlapping."

However, upon closer inspection of Gibson, (C.9.lines 35-40), it is stated, "the

invention can alternatively be implemented to generate separate parent browsers for

each frame..." The present invention explicitly teaches opening a web page window

containing a secondary web page wherein both windows are positioned and sized so

that the windows fit on one screen without overlapping, the procedure for this is

thoroughly taught in C.8.line 14-C.9.line 20 as it relates to separate parent browsers,

C.9.lines 35-40, the procedure (C.8.line 14-C.9.line 20) is claimed by Gibson to use the

methodology as taught by therein by Gibson, which is interpreted as the logic therewith,

as having the parent browsers tiled, accounting for positioning and sizing, without

overlapping on one screen. Word Reference teaches having a translation window that is

created by a program associated with a primary web page and is opened in conjunction

with a web page window (WordReference drawing, WordReference.com-web page),an

input field for a user to provide information in a first language (WordReference drawing,

web page),a translator that is linked to a translation dictionary database,

(WordReference drawing-information is translated on-line/Internet, from a first language

into a second language which inherently requires a link to a database/dictionary), and

an output field comprising information in a second language corresponding to a

translation of the information in the first language (WordReference drawing, web page-

"luchar"). Therefore, at the time of the invention, it would have been obvious to one

ordinarily skilled in the art to combine Word Reference with Gibson by having a

translation window as a first parent browser which is tiled, therefore non-overlapping, to

a web page window as a secondary parent window, thereby fitting on one screen

without overlapping. The motivation for doing so would have been to have two web

pages concurrently displayed for manipulation and managing (Gibson C.5.lines 10-12),

thereby allowing one to view that translation web page along side a desired secondary

web page, without having the view of either page obstructed by either opposite page.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negated by the manner in which the invention was made.

3.   Claims 1, 2-4, 6, 8-13, 15-17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Word Reference (Oct. 13, 1999) in view of (Gibson US Patent No.

6,313,854 filed Oct. 16, 1998).

Word Reference and Gibson are analogous art in that they both involve the use

of web pages .

As per **claim 1**, Word Reference discloses a system for language translation

comprising:

a translation window that is created by a program associated with a primary web

page and is opened in conjunction with a web page window (WordReference drawing,

WordReference.com-web page):

an input field for a user to provide information in a first language (WordReference

drawing, web page);

a translator that is linked to a translation dictionary database (WordReference

drawing-information is translated on-line/Internet, from a first language into a second

language which inherently requires a link to a database/dictionary); and

an output field comprising information in a second language corresponding to a

translation of the information in the first language (WordReference drawing, web page-

"luchar").

Word Reference does not disclose:

opening a web page window containing a secondary web page wherein the

translation window and the web page window are positioned and sized so that the

translation window and the web page window fit on one screen without overlapping.

However, Gibson teaches opening a web page window containing a secondary web page wherein both windows are positioned and sized so that the windows fit on one screen without overlapping (Fig. 7 items 112c, 112a, C.8.lines 50, 51-"tiled", C. 9.lines 35-38, C.8.line 6-C.9.line 20). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson by by having a translation window as a first parent browser which is tiled, therefore non-overlapping, to a web page window, thereby fitting on one screen without overlapping. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 2**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 2 depends. Word Reference further discloses:

the translation window comprises the input field and the output field (WordReference drawing-"English to Spanish" input field, and "luchar" output field).

As per **claim 3**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 3 depends. Word Reference further discloses:

the translation window comprises a translation direction field (WordReference drawing-"English to Spanish" field).

As per **claim 4**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 4 depends. Word Reference further discloses:

the input field accepts as information a word or a phrase in the first language

(WordReference drawing-"Figure out").

As per **claim 6**, Word Reference and Gibson disclose all of the limitations of

claim 1, upon which claim 6 depends. Word Reference further discloses:

the input field accepts as information a single word at a time in the first language

(WordReference drawing-allows pasting a word into the input field).

As per **claim 8**, Word Reference and Gibson disclose all of the limitations of

claim 1, upon which claim 8 depends. Word Reference further discloses:

the input field accepts information via an input format from a group of input

formats comprising typed input, drag-and-drop input, and right-click mouse input

(WordReference drawing-accepts typed, drag-and-drop, and right-click mouse input).

As per **claim 9**, Word Reference and Gibson disclose all of the limitations of

claim 1, upon which claim 9 depends. Word Reference does not disclose:

the secondary web page is replaced by a tertiary web page in the web page

window while the translation window remains open, and wherein the web page window

containing the tertiary web page and the translation window fit on a screen without

overlapping.

However, Gibson teaches having the secondary web page is replaced by a

tertiary web page in the web page window while the translation window remains open,

and wherein the web page window containing the tertiary web page and the translation

window fit on a screen without overlapping (C.9.lines 10-19, 36-38-either parent

browser may be manipulated into a tertiary web page window while remaining tiled.

Therefore, at the time of the invention, it would have been obvious to one ordinarily

skilled in the art to combine WordReference with Gibson. The motivation for doing so

would have been to have two web pages concurrently displayed for manipulation, one

of the web pages loading a tertiary web page, and managing (Gibson C.5.lines 10-12),

thereby allowing one to view that translation web page along side a desired secondary

web page, without having the view of either page obstructed by either opposite page.

As per **claim 10**, Word Reference discloses a system for language translation on

the Internet comprising:

a translation window that is created by a program associated with a primary web

page and is opened in conjunction with a web page window ("WordReference" drawing,

web page):

an input field for a user to provide information in a first language (WordReference

drawing, web page);

a translator that is linked to a translation dictionary database (WordReference

drawing-information is translated on-line/Internet, from a first language into a second

language which inherently requires a link to a database/dictionary); and

an output field comprising information in a second language corresponding to a

translation of the information in the first language (WordReference drawing, web page-

"luchar").

Word Reference does not disclose:

opening a web page window containing a secondary web page wherein the translation window and the web page window are positioned and sized so that the translation window and the web page window fit on one screen without overlapping.

However, Gibson teaches opening a web page window containing a secondary web page wherein both windows are positioned and sized so that the windows fit on one screen without overlapping (Fig. 7 items 112c, 112a, C.8.lines 50, 51-"tiled", C. 9.lines 35-38, C.8.line 6-C.9.line 20). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 11**, Word Reference discloses a method for language translation comprising:

providing a translation window that is generated by a program associated with a primary web page (WordReference.com drawing, web page);

receiving input information in a first language (Word Reference drawing, below "English to Spanish" field);

translating the input information from the first language to information in a second language (WordReference drawing, "fight" translated into "luchar"); and

outputting the information in the second language (WordReference drawing, "luchar").

Word Reference does not disclose:

opening the translation window in conjunction with a web page window;

adjusting the size and position of the translation window so that the translation window and the web page window fit on one user-viewable screen.

However, Gibson teaches opening a window in conjunction with a web page window (C.9.lines 36-38) and adjusting the size and position of the window so that the window and the web page window fit on one user-viewable screen (Fig. 7 items 112c and 112a, C.8.lines 50-55, C.8.line 6-C.9.line 20). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation, as in adjusting the size and position of a window, and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 12**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 12 depends. Word Reference further discloses:

receiving the input information from the first language and outputting the information in the second language are performed via the translation window (WordReference drawing).

As per **claim 13**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 13 depends. Word Reference further discloses:

providing a translation direction field (WordReference drawing, "English to

Spanish").

As per **claim 15**, Word Reference and Gibson disclose all of the limitations of

claim 11, upon which claim 15 depends. Word Reference further discloses:

accepting input information from a group of input formats comprising typed input,

drag-and-drop input, and right-click mouse input (WordReference drawing, accepts

typed, drag-and-drop input and right click mouse input).

As per **claim 16**, Word Reference and Gibson disclose all of the limitations of

claim 11, upon which claim 16 depends. Word Reference does not disclose:

maintaining the web page window with any web page hosted on the Internet.

However, Gibson teaches maintaining the web page window with any web page

hosted on the Internet (C.7.lines 25-27, C.9.lines 10-20, 36-38). Therefore, at the time

of the invention, it would have been obvious to one ordinarily skilled in the art to

combine WordReference with Gibson. The motivation for doing so would have been to

have a web page concurrently displayed for manipulation in conjunction with any web

page on the Internet, thereby allowing one to view that translation web page along side

a desired secondary web page.

As per **claim 17**, Word Reference and Gibson disclose all of the limitations of

claim 11, upon which claim 17 depends. Word Reference further discloses:

executing the program associated with the primary web page to translate input

information (WordReference drawing-accepts information from any web page hosted on

the Internet.

4.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word

Reference in view of Gibson, and further in view of Park et al. (US Patent number

6,064,951 filed January 12, 1998).

Word Reference, Gibson and Park et al. are analogous art because they are in

the computer information display field.

As per **claim 5**, Word Reference and Gibson disclose all the limitations of claim

1, upon which claim 5 depends.

Word Reference in view of Gibson does not disclose:

the input field accepts as information one to five words at a time.

However, Park et al. discloses the input field accepts as information one to five words at

a time (Fig. 7 Col.7.lines 15, 16). Therefore it would have been obvious to a person

ordinarily skilled in the art to combine Word Reference and Gibson with Park et al. The

motivation for combining the method of input of information to the translation window is

to have accurate and easier methods of data input.

5.   **Claims 7 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Word Reference in view of Gibson, and further in view of "Welcome to the new R-

O-Matic Italian/English Dictionary." (May 13, 1998).

Word Reference, Gibson and R-O-Matic Italian/English Dictionary are analogous

art because they are in the computer information display field.

As per **claim 7,** Word Reference and Gibson disclose all of the limitations of

claim 1, upon which claim 7 depends.

Word Reference in view of Gibson does not disclose:

the translator accepts a search modifier from a group of search modifiers

comprising exact match, contains, and starts with.

However, "Welcome to the new R-O-Matic Italian/English Dictionary"

demonstrates the choice of a search modifier from a group of search modifiers

comprising of "exact match," "contains," and "starts with." Therefore it would have been

obvious to a person ordinarily skilled in the art to combine Word Reference and Gibson

with "Welcome to the new R-O-Matic Italian/English Dictionary." The motivation for

using the search modifier is to broaden the chance of finding the desired translation.

As per **claim 14,** Word Reference and Gibson disclose all of the limitations of

claim 11, upon which claim 14 depends.

Word Reference in view of Gibson does not disclose:

accepting a search modifier from a group of search modifiers comprising an

exact match, contains, and starts with.

However, "Welcome to the new R-O-Matic Italian/English Dictionary"

demonstrates the choice of a search modifier from a group of search modifiers

comprising of "exact match," "contains," and "starts with." Therefore it would have been

obvious to a person ordinarily skilled in the art to combine Word Reference and Gibson

with "Welcome to the new R-O-Matic Italian/English Dictionary." The motivation for

using the search modifier is to broaden the chance of finding the desired translation.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lamont M Spooner whose telephone number is

703/305-8661. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on 703/305-9645. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

lms
02/15/2005

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